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Smoke and mirrors

By ALLAN W. FUNG

I am writing in response to the recent Providence Journal article where Cranston Mayor Michael Napolitano touts the tentative agreement with the firefighters' union as fair, affordable and one that would save the city money. After reviewing the tentative agreement, I must disagree and urge the City Council not to ratify this agreement. This contract is full of smoke and mirrors and returns our city to the same old fiscal ways of doing business that got us into financial trouble in the first place.

This contract provides minimal short-term cash savings (those highlighted by Mayor Napolitano in salary, health insurance and holidays) in exchange for huge burdens on taxpayers in the future. If this contract had the same savings that the Laffey administration had negotiated in the agreements with the police, teamsters and laborers, I would have given Mayor Napolitano his due and applauded his efforts. But it doesn't and, in my opinion, this contract will hurt Cranston over the long term.

Under the new proposed contract, firefighters will receive generous guaranteed increases in salary (2 percent every six months) and longevity (on July 1, 2007 and 2009). What I find particularly egregious with the 2 percent every six months salary increase is that Mayor Napolitano forces the financial ramifications of one of those increases, which occurs on the last day of the 2010 fiscal year, into the 2011 budget. Thus, the taxpayers will continue to real-

ize a financial hit for another year after a purported three-year contract has expired. What a way to hide a raise in a budget! I thought I had seen it all until this and I am not even sure if this is legal as state law only allows contracts to be for three years.

Although getting the firefighters to pay a co-share is a start, I find it difficult to support a contract that has our firefighters paying less than our police officers and other city employees for their health insurance co-share and that they will receive free health care when they retire (remember the firefighters can retire after only 20 years of service). The free health care for retirees is problematic as it will continue to increase our post-employment benefits costs - another unfunded burden that taxpayers must face.

Also, this contract unwinds two hard fought decisions that former labor attorney Vincent Ragosta won for the city in arbitration, which is not an easy task. First, the contract grants firefighters a "conclusive presumption" of disability if they get cancer while employed by the city of Cranston. This new language will make it extremely easy for a firefighter to get a disability pension even if he/she develops cancer from personal lifestyle decisions, such as smoking, that are unrelated to his/her job. Union leader Paul Valletta's statement in the article that this provision is consistent with state law is simply not true. If that were so, why did the city successfully win this point in both arbitration and in Superior Court? Al-

so, the contract gives health coverage to firefighter "trainees" before they actually become full-fledged firefighters, which is in direct contradiction of an arbitrator's decision. I cannot fathom why the city would ever give up two hard-fought decisions with substantial financial implications to the taxpayers in this manner.

The proposed contract increases the minimum manning requirement and changes the wording from manning to staffing. At first blush, this may appear to be a simple word change, but as a lawyer, I know that words have meanings and this change will likely be interpreted to require the city to hire more firefighters, thereby depriving it of flexibility in staffing. We already have more firefighters than police officers, a fact that was criticized during a past performance audit of our police and fire departments, and we are increasing this number. How does this make sense?

Finally, I still cannot support the fact that our firefighters, who were not in New York City during Sept. 11, maintain this day as a holiday when the true heroes in New York City do not.

The taxpayers will continue to get hit financially in the long run in this contract. I sincerely hope that the City Council will see through the smoke and mirrors and not ratify this contract. They need to send the administration back to the bargaining table to get a good contract that really benefits the taxpayers.

Allan Fung is a former city-wide councilman.